

## **ATTACHMENT 6**

JACQUELINE D. MARSTELLER,	)	
	)	
vs.	)	
	)	IN THE UNITED STATES DISTRICT
ECS FEDERAL, INC.	)	COURT FOR THE EASTERN DISTRICT OF
f/k/a ELECTRONIC CONSULTING	)	VIRGINIA
SERVICES, INC., et al.	)	Alexandria Division
	)	
	)	
	)	CIVIL ACTION NO. 1:13-cv-00593
	)	(JCC/JFA)
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EXPERT REPORT OF JULIAN ACKERT

1. I, Julian Ackert, have been retained by counsel for Jacqueline D. Marsteller as an electronic discovery expert in the above captioned matter.
2. I am a Director of iDiscovery Solutions, Inc., an expert services and consulting firm that provides independent expert testimony and analysis, original studies, and strategic consulting services to the business and legal community.
3. I have extensive experience creating and implementing preservation and collection strategies and performing computer forensics and metadata analysis on electronic data. I have a Bachelor of Science degree in Computer Science and have performed preservation, collection, and analysis of electronic data on hundreds of computers. I have previously authored affidavits and expert reports on forensic analysis of electronic documents, and my company is comprised of experts who are contributing members to the Sedona principles of electronic discovery. My curriculum vita is attached hereto as Exhibit "A."
4. In preparation for my expert report, I have reviewed the Michael Maschke expert report. I have also analyzed and reviewed the six personal computer systems and electronic devices belonging to Ms. Marsteller and referenced in paragraph 8 of the Maschke report.

5. From each of the personal computer systems and electronic devices belonging to Ms. Marsteller, Mr. Maschke generated file listings of the media content. These file listings were attached as exhibits #6-1 to #6-6 of his report, and delivered electronically to Ms. Marsteller for her review.
6. One of these exhibits (Maschke #6-6) is the file listing generated from Ms. Marsteller's personal computer. This computer is configured with the Microsoft Windows 7 operating system and contained both user-created files (such as Word documents and Excel spreadsheets) and operating system files, which are created and maintained by the Windows computer operating system to facilitate the use of the computer.
7. Maschke exhibit #6-6 listed approximately 485,000 files, many of which appeared to be operating system files with no user-created content. From this exhibit, I removed folders associated with program files, Windows operating system files, and computer configuration files. I confirmed with Ms. Marsteller that she utilized the "Jackie" login profile for user created content on this computer, thus I also removed folders associated with the "default" and "administrator" login profiles. The resulting subset of Maschke exhibit #6-6 was a file listing of 108,939 files.
8. I did not create subset file lists for Maschke exhibits #6-1 to #6-5.
9. Counsel for Ms. Marsteller sent to me highlighted copies of Maschke exhibits #6-1 through #6-5, and a highlighted copy of the subset I created for Maschke exhibit #6-6. Counsel informed me that Ms. Marsteller highlighted items that were personal or proprietary in nature. My analysis focused on the non-highlighted files.
10. A computer operating system records metadata, such as filename and filesize, to enable specific functionality and access to that file. This type of metadata is called operating system metadata.
11. Of the 8,291 files that were not highlighted by Ms. Marsteller, 189 files show operating system metadata of Created Date, Last Modified Date, or Last Accessed date after December 15, 2011.
12. I reserve the right to update my findings upon the production and examination of additional information.